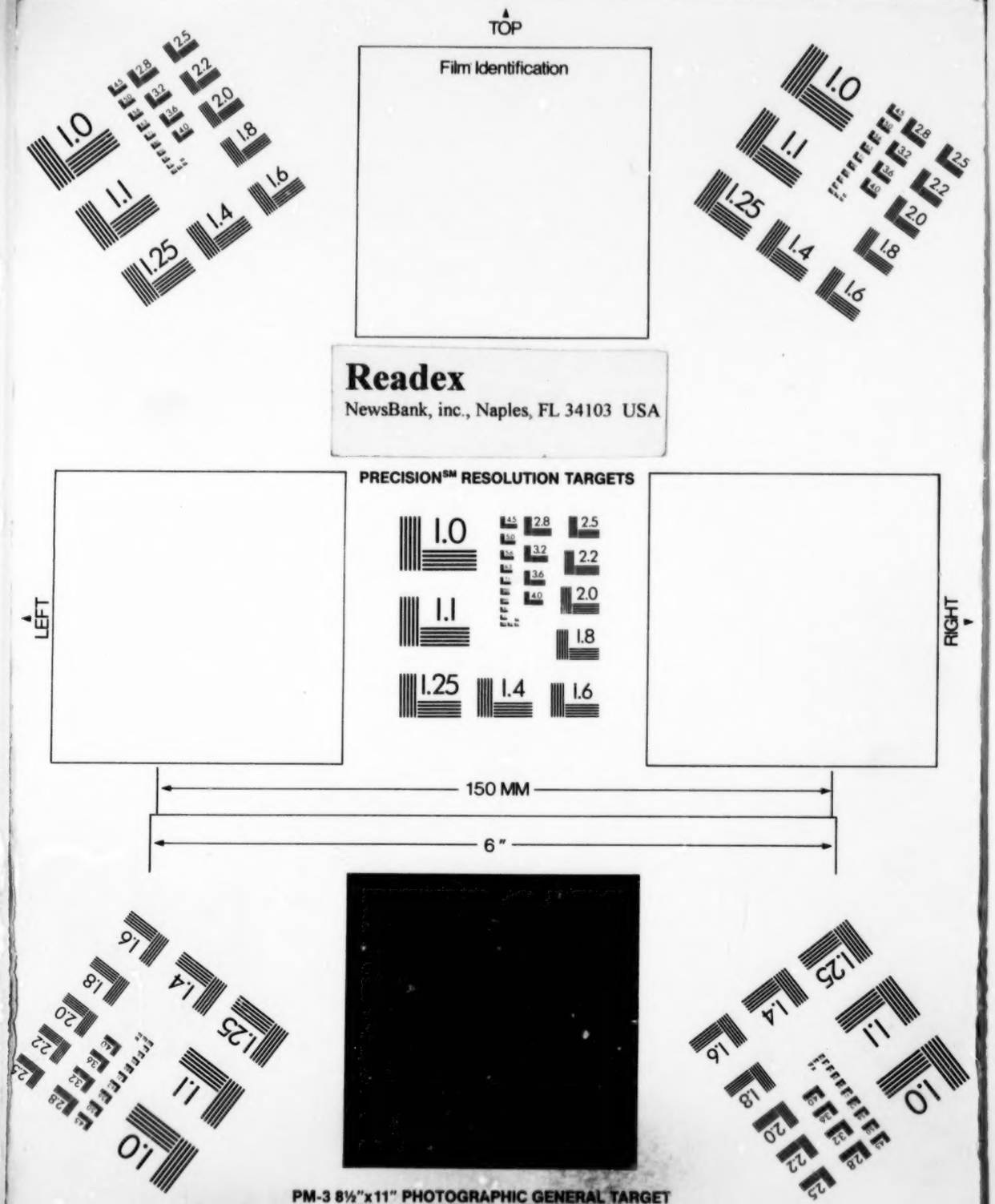
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United Nations CRPD/C/SR.242

Convention on the Rights of Persons with Disabilities

Distr.: General
11 April 2016

Original: English

Committee on the Rights of Persons with Disabilities
Fifteenth session

Summary record of the 242nd meeting
Held at the Palais Wilson, Geneva, on Monday, 4 April 2016, at 3 p.m.

Chair: Ms. Cisternas Reyes

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Slovakia (CRPD/C/SVK/1; CRPD/C/SVK/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Slovakia took places at the Committee table.*

2. **Mr. Rosocha** (Slovakia), introducing his country's initial report (CRPD/C/SVK/1), said that in Slovakia persons with disabilities enjoyed the same rights as other citizens and that efforts to enforce their rights were guided by the Convention and its Optional Protocol, which Slovakia had ratified in May 2010 and which had entered into force the following month. Thereafter, the Government had begun the process of modifying its domestic legislation with a view to abandoning the social approach to disability in favour of a human rights approach.

3. A number of advances had been made following the submission of the initial report of Slovakia in June 2012. In February 2013, a focal point for the implementation of the Convention had been appointed within the Ministry of Labour, Social Affairs and Family. The focal point's mandate consisted in working with the Government and civil society to disseminate the principles and values enshrined in the Convention; collecting statistical data on persons with disabilities living in Slovakia; coordinating the efforts of the different ministries and authorities to implement the National Programme for the Development of Living Conditions of Persons with Disabilities for the period 2014-2020; overseeing the process of aligning domestic legislation with the provisions of the Convention; reviewing legislative proposals concerning persons with disabilities; cooperating with national and international organizations of persons with disabilities; and preparing periodic reports for submission to the Committee. Furthermore, all the central administrative authorities had appointed coordinators to assist the focal point in conducting activities relating to the implementation of the Convention.

4. The National Programme for the Development of Living Conditions of Persons with Disabilities for the period 2014-2020 was the Government's key strategic document for improving the situation of persons with disabilities in Slovakia. The objectives and measures that it set out were intended to guarantee the protection of the rights enshrined in the Convention. The content of the National Programme was updated every other year and was next due for review in September 2016. Experts from various fields, government representatives, members of the public and representatives of organizations of persons with disabilities had all been involved in devising the document. The National Programme laid down the obligation for the Government to consult representative organizations of persons with disabilities on the content of and the approach taken to implementing legislation and policies relating to them, with a view to increasing their participation in decision-making processes. In that connection, the rules governing the design of binding legislation had been amended to allow representative organizations of persons with disabilities to submit comments and observations on such legislation. The greatest obstacle to involving such organizations in the preparation of the relevant legislation and policies as a matter of course was the lack of available funding. However, the National Programme contained a specific measure to address that problem by introducing a mechanism to provide systematic funding for NGOs working with the Government in that area.

5. A law appointing the Commissioner for Children and the Commissioner for Persons with Disabilities had been adopted in September 2015 in response to the need to protect the specific rights of some of the most vulnerable groups in Slovakia. The posts had been created in accordance with the Paris Principles so as to ensure that the Commissioners

could exercise their functions in complete independence. The mandate of the Commissioner for Persons with Disabilities was restricted to the defence of the rights enshrined in the Convention, irrespective of whether those rights were recognized in domestic legislation, and did not encroach on that of other public human rights defenders. The Commissioner was elected by the national parliament and received dedicated funding. The post's main functions included enforcing and raising public awareness of the rights of persons with disabilities; proposing and reviewing legislative changes affecting persons with disabilities; handling individual complaints; and ensuring the participation of representative organizations of persons with disabilities in all activities relevant to them. The Commissioner could also correspond with the Committee on behalf of persons with disabilities, in accordance with the Optional Protocol to the Convention.

6. **Ms. Kingston** (Country Rapporteur) commended the State party for producing its report in a timely manner. The alternative reports submitted by organizations of persons with disabilities and the Slovak National Centre for Human Rights had also provided the Committee with a clear picture of the situation of persons with disabilities in Slovakia. She welcomed the steps taken by the Government of Slovakia to support the adoption of European Union legislation to promote the rights of those persons, particularly pieces of legislation addressing the problems of violence and torture to which they were routinely subjected. The appointment of the Commissioner for Persons with Disabilities was an indicator of the Government's strong political will and could serve as a catalyst in bringing national laws, policies and practices more fully into line with the Convention. She also noted with satisfaction that sign language had enjoyed legal recognition for more than 10 years.

7. However, the Committee continued to harbour serious concerns over the continued segregation of and the multiple forms of discrimination against persons with disabilities. Despite the State party's statement to the effect that, in Slovakia, women and girls with disabilities were not affected by gender inequality, the problem was known to be a global phenomenon, and its existence should not be denied. The Committee was also concerned about the further marginalization of particular groups of persons with disabilities, such as persons with psychosocial or intellectual disabilities, whose legal capacity was still restricted, despite recent legislative changes. As stated in the Committee's general comment No. 1 (2014) on equal recognition before the law, mental and legal capacity were two separate concepts that should not be conflated.

8. It was unfortunate that Slovakia had not yet made the paradigm shift from the traditional, social approach to disability to one based on human rights, as that would help to ensure the full inclusion of persons with disabilities in society. The provision of services for the early detection and diagnosis of impairments in children was inadequate in terms of its quality and coverage. The State party should take urgent action to provide adequate health- and social care services to meet the preschool education needs of children from birth until the age of 3.

9. She noted with regret that a nationwide, inclusive education system was not yet in place. School curricula and learning materials needed to be accessible to children with disabilities, and teachers required training on how to deliver high-quality, inclusive education to all children. The Committee was deeply concerned about the widespread practice of placing Roma children in segregated schools alongside children with disabilities. The State party must dissociate Roma children, who were considered socially disadvantaged, from children with disabilities. While the Committee welcomed the rise in the employment rate of persons with disabilities from around 3 to 8 per cent over the past few years, the fact remained that the overwhelming majority remained unemployed and that those who were in employment were often segregated in sheltered workshops. The State

party needed to do more to ensure that persons with disabilities could choose their own profession.

10. Article 19 of the Convention required States parties to ensure that persons with disabilities could live independently and choose where and with whom they lived. She noted with regret that the deinstitutionalization process was not yet complete and that community-based services to enable independent living were not widely available. A number of barriers continued to prevent persons with disabilities from living independently and from participating fully in the community. Budgetary allocations for personal assistance were inadequate, and the eligibility criteria governing the provision of social services were excessively restrictive. Furthermore, the absence of a law obliging local governments to provide in-house support services specifically for children with disabilities could lead to their institutionalization. In general, such support services were provided only to adults. She looked forward to hearing about the measures taken by the State party to expedite the deinstitutionalization process and to guarantee persons with disabilities their rights under article 19.

11. The exercise of legal capacity was a cherished right for all persons with disabilities. Slovakia had recently revised its guardianship laws, but it should go further still and replace all forms of substituted decision-making with supported decision-making, in line with the Committee's general comment No. 1 (2014). Human rights violations in the form of forced placement and forced treatment were a major cause of concern for the Committee. The fact that the Slovakian courts could still decide on the medical treatment to be administered to certain groups of persons with disabilities contravened the right of all persons with disabilities to consent to or decline medical treatment. On the other hand, she welcomed the measures taken to guarantee the rights of persons with disabilities in psychiatric institutions and to protect them against violence in institutions and in the home.

12. The right to access to justice was enshrined in article 13 of the Convention. The Slovakian judicial system still did not provide adequate procedural accommodations for persons with psychosocial or intellectual disabilities and did not provide access to information in Braille or sign language interpretation services. In addition, the current restrictions on the legal capacity of persons with disabilities prevented them from standing for election. Lastly, she noted with concern that Slovakia had yet to establish structures to monitor the implementation of the Convention and to ensure that persons with disabilities would be included in such monitoring.

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13. **Mr. Ruskus** said that he had concerns about the way disability was currently defined and assessed in Slovakia. In particular, he questioned the validity, usefulness and discriminatory outcome of the current approach, especially with regard to children. It seemed that elements of the outdated Soviet defectology method still remained deeply rooted in disability assessment. That had led for example to segregation in education and in the perception that persons with disabilities had a "limited ability" to perform work. He wished to know whether there were plans to adopt a more human rights-based assessment of disability, in line with the Convention.

14. **Mr. Kim** Hyung Shik said that he would welcome information on the main challenges encountered in raising public awareness of disability issues and on the specific measures taken to bolster awareness among civil servants and in the legal, medical and teaching professions. He also wished to know the extent to which the Government collaborated with organizations of persons with disabilities. While the project to modernize railway transportation, described at some length in the State party report, was commendable, it was only one of the elements necessary for ensuring accessibility. In that connection, he would be interested to know what budget was available for improving access to information

and communications technologies and to the built environment, for example. Were persons with disabilities and their representative organizations involved in the monitoring and assessment of accessibility-related adaptations and innovations?

15. **Mr. Lovászy** said that he wished to know about the legal provisions and practices that prevented the placement of children with disabilities in institutional care. He also asked whether there was a formal action plan or strategy with a specific timeline and clearly defined milestones to institute a full deinstitutionalization evaluation process and establish community-based services. Information should also be provided on any measures implemented in the field of early and effective diagnosis, as well as on the development of institutionalized children with disabilities. Lastly, he asked whether there was a system providing paid family allowances in the State party; whether there were plans to set up a comprehensive, nationwide network of health and social care services for the early diagnosis of children with disabilities and intervention on their behalf; and whether financial support for families would be enhanced.

16. **Mr. Basharu** said that he would welcome information on the extent to which organizations of persons with disabilities were involved in raising awareness of disability issues and the way in which persons with disabilities were portrayed in electronic and print media.

17. **Mr. Tatić** said that he would welcome updated information on the legal remedies available to persons with disabilities who had experienced disability-based discrimination, as well as the number of complaints filed and their outcomes. How were accessibility standards implemented, monitored and enforced, and were penalties applied for failure to comply with those standards? Additional information on the accessibility of Internet websites, particularly government sites and those in the areas of banking, tourism and media, should also be provided. Lastly, he would be very interested to hear about accessibility for visitors to Slovakia, particularly with regard to the practicalities of arriving at the airport, using public transport and finding accessible hotels, and also would like to know more about the accessibility of government and other buildings.

18. **Ms. Degener** noted that, according to the replies to the list of issues (CRPD/C/SVK/Q/1/Add.1), gender inequality did not exist in Slovakia. She expressed her disbelief that gender discrimination could be non-existent. What concrete action was being taken by the State party to tackle the multiple forms of discrimination faced by women and girls with disabilities? She would welcome specific information on plans to deinstitutionalize children with disabilities. Information should also be provided on the budget allocated for children with disabilities and the proportions spent on institutional and community-based care.

19. **Mr. Buntan** said that he would like to know what mechanisms were in place to enable persons with disabilities to exercise their rights under the anti-discrimination law. The delegation should provide statistics on the number of complaints of discrimination filed by persons with disabilities and the outcomes of those complaints. Had denial of reasonable accommodation been explicitly defined as an act of discrimination? As to the accessibility of online content, he asked whether the Government intended to extend the scope of content accessibility guidelines to ensure that higher education facilities and private enterprises would also be required to comply.

20. **Ms. Peláez Narváez** expressed her surprise at the assertion that there had been no instances of gender discrimination against women and girls with disabilities in Slovakia. She could not recall another instance in which a State party had made such a claim. The delegation should provide an explanation. She wished to know what measures had been taken by the State party to ensure the free and informed consent of women with disabilities for medical interventions.

21. **Mr. Langvad** asked how the State party worked with and supported organizations of persons with disabilities, particularly those representing women and girls, ethnic minorities and migrant workers, to ensure that they could provide insight and exercise influence during the adoption of new legislation in Slovakia. The National Programme for the Development of Living Conditions of Persons with Disabilities evidently did not have concrete goals, indicators or references for stakeholder involvement. What steps were being taken to ensure that the Programme would have a clear impact on policy? Lastly, he asked whether there was a process in place to enable persons with disabilities to file complaints of multiple or intersectional discrimination; how such cases were handled; and how the State party ensured that the corresponding remedies and sanctions reflected the impact and severity of such discrimination.

22. **Ms. Kingston** asked whether the State party had a specific strategy or action plan to promote the rights of persons with disabilities in the Roma community. How did the State party ensure that free and informed consent was achieved, free from prejudice, when women decided to continue or terminate pregnancies?

23. **The Chair** said that she wished to know what interaction the Government had with the Commissioner for Persons with Disabilities and how it integrated the Commissioner's recommendations into public policy. Noting that both the Human Rights Committee and the Committee on Economic, Social and Cultural Rights had in their concluding observations (CCPR/C/SVK/CO/3 and E/C.12/SVK/CO/2) made specific recommendations with regard to combating discrimination against the Roma population, she asked the delegation to explain the logic underlying the policy of automatically sending Roma children to segregated schools for children with disabilities, which appeared to be a twofold act of discrimination.

The meeting was suspended at 4 p.m. and resumed at 4.25 p.m.

24. **Mr. Krivošík** (Slovakia) said that, while the preferred definition in Slovakia of persons with disabilities was "persons with health disabilities", there were also certain alternative definitions used by various different systems and policies. By way of example, the Act on Cash Benefits to Compensate for Severe Disability contained the definition of a "severe disability" as a functional impairment of at least 50 per cent. The measures proposed in the National Programme for the Development of Living Conditions of Persons with Disabilities were intended to benefit persons with health disabilities in general and were not divided into subcategories.

25. **Ms. Tekelová** (Slovakia) said that a new educational approach had been developed to raise awareness of disability issues. For example, at schools and other educational establishments activities were organized to promote greater understanding of such issues among children. There were also cultural activities with the participation of persons with disabilities, enabling non-disabled children and children with disabilities to spend time together.

26. **Ms. Škrípová** (Slovakia) said that the modernization of the railway infrastructure had been funded almost exclusively by the European Union. Since 2007, 13 projects had been implemented. The terms and conditions of that funding included the monitoring and evaluation of various development indicators, including accessibility of buildings, availability of equipment on platforms, use of Braille and support for the mobility of blind persons. In line with efforts to create an integrated infrastructure, a programme to modernize public transportation vehicles and thereby improve accessibility was in the pipeline, and support would also be provided for barrier-free construction projects. Lastly, the strategic plan for the development of the transportation infrastructure too addressed the challenges faced by persons with disabilities and included various indicators for the monitoring and evaluation of accessibility.

27. **Ms. Pietruchová** (Slovakia) said that the Anti-Discrimination Act not only prohibited all forms of discrimination but also contained measures aimed at preventing the phenomenon. In the case of persons with disabilities, that included efforts to ensure accessibility. The Act also made provision for affirmative action in certain cases. In an effort to further enhance accessibility for persons with disabilities, a set of principles aimed at standardizing protection against discrimination and gender inequality had been adopted for the period 2014-2020. Those principles were expected to have a positive impact on all related public investments. The vast majority of the funding would be provided by the European Union, which could withdraw its funding in the event that a project failed to comply with the Anti-Discrimination Act or did not take into account the needs of persons with disabilities.

28. **Mr. Krivošík** (Slovakia) said that efforts had been made to place children with disabilities with foster families rather than in institutional care. Around €17 million of European Social Fund allocations and €15 million of the national budget had been spent on actions aimed at preventing the institutionalization of boys and girls with disabilities. An additional €37 million had also been set aside with a view to making children's crisis shelters and children's homes fully accessible for children with disabilities.

29. **Mr. Gabura** (Slovakia) said that the National Programme for the Development of Living Conditions of Persons with Disabilities had been established by the Government in consultation with persons with disabilities and their representative organizations. The Programme included numerous provisions to increase the general public's awareness of disability-related issues. National radio and television broadcasters had been tasked with conducting disability awareness-raising campaigns and had produced several programmes focusing on the lives and challenges of persons with disabilities. The National Council for Broadcasting and Retransmission was responsible for monitoring broadcasting output and ensuring that radio and television broadcasters included a number of subtitled and sign language programmes in their schedules.

30. **Ms. Pietruchová** (Slovakia) said that the National Centre for Human Rights provided free legal assistance to victims of discrimination, including persons with disabilities, and offered mediation services aimed at resolving conflicts and providing redress to victims. It had handled 2,413 complaints in recent years, of which 1,088 had been submitted by women. Data on the number of cases involving persons with disabilities would be provided at a later date. Steps had also been taken to prevent discrimination in the workplace, and labour inspectors conducted regular, unannounced visits to ensure that companies complied with the provisions of the Anti-Discrimination Act, particularly with regard to preventing discrimination against persons with disabilities. The Supreme Court had recently ruled that children with disabilities had the right to inclusive education and had cited certain provisions of the Convention in its decision.

31. **Ms. Škrípová** (Slovakia) said that the Ministry of Transport, Construction and Regional Development was responsible for monitoring the accessibility of the travel network and that transport providers were obliged under domestic and European Union legislation to ensure that accessible facilities and services were available for persons with disabilities. National railway operators had therefore recently purchased accessible rolling stock and had adapted railway platforms for persons with restricted mobility and visual or hearing impairments.

32. **Mr. Gabura** (Slovakia) said that the Government had taken numerous measures to ensure that persons with disabilities had access to information and communications technology and had introduced legislation to make government websites and information accessible to them. It hoped to extend such provisions to the private sector in the near future.

33. **Ms. Pietruchová** (Slovakia) said that the Government fully recognized the multiple discrimination affecting women and children and had amended the national legislation to take into account the fact that women and girls with disabilities constituted a special category of persons requiring protection. However, more work remained to be done to combat the various forms of discrimination faced by that particular group. Support programmes, counselling services, shelters and an emergency telephone hotline had been introduced to assist women victims of domestic and gender-based violence, including women with disabilities and Roma women. The National Coordination Centre for Gender and Domestic Violence also made its services available to women with disabilities and would include a focus on that group in its forthcoming research into the causes of gender-based violence.

34. **Mr. Gabura** (Slovakia) said that doctors and nurses were taught basic alternative forms of communication as part of their initial training and that patients with disabilities could request sign language interpreters when required. The prior, informed consent of patients with disabilities must be obtained before the start of any course of treatment, and patients with disabilities could withdraw their consent at any time.

35. **Mr. Krivošík** (Slovakia) said that the Government had taken steps to consult persons with disabilities and their representative organizations on matters relating to disability as part of the National Programme for the Development of Living Conditions of Persons with Disabilities. However, progress had been limited, and more concerted efforts would be required to ensure the effective participation of persons with disabilities in future. No specific funding mechanism had been introduced for organizations of persons with disabilities, but it was hoped that funds would be made available shortly.

36. **Ms. Pietruchová** (Slovakia) said that the Government intended to carry out projects aimed at strengthening protection measures for persons with disabilities, in cooperation with NGOs and other stakeholders, using European Social Fund allocations. The Government had taken a series of measures under the Strategy for Integration of Roma to raise the general public's awareness of that community's particularly vulnerable situation and to ensure that Roma persons received equal access to health care, education, and housing. It had also established a post of plenipotentiary for the Roma community and intended to introduce special temporary measures to promote the inclusion of Roma persons with disabilities, particularly Roma women, in the labour market.

37. **Ms. Tekelová** (Slovakia) said that the Schools Act had been amended in 2015 to ensure that children from socially disadvantaged backgrounds — not only Roma children — whose development was lagging behind were not mistakenly diagnosed as having intellectual disabilities and placed in special classes or schools. According to the Act, such children were to be provided with additional support to reach their full potential and enjoy the same educational opportunities as other children. The Ministry of Education and the national school inspectorate were empowered to review children's medical reports if there was a suspicion that their initial examinations and diagnoses were carried out without taking into consideration that their developmental delays might be due to their coming from disadvantaged or less stimulating environments. The Ministry and the inspectorate could take corrective measures if necessary. New diagnostic methods were currently being developed, and children identified as having developmental delays could attend a preparatory "grade zero" to help them make progress. Many measures had been adopted to address the situation of children from socially disadvantaged backgrounds, including the granting of financial assistance to fund teaching aids, individualized assistance and excursions.

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38. **Mr. Buntan** noted that the delegation had referred extensively to affirmative action rather than addressing the denial of reasonable accommodation as a form of discrimination. He pointed out that the provisions of article 5 (3) and (4) of the Convention, respectively addressing discrimination and affirmative action, were distinct. He asked whether the State party had any examples of material on situations of risk, natural disasters or humanitarian emergencies that could be broadcast to persons with disabilities, especially those with sensory disabilities, in accessible formats. Were there any plans to move away from the system of guardianship towards a system of supported decision-making, thus allowing persons with disabilities to exercise their legal capacity on an equal basis with others?

39. **Ms. Pavey** said that she would welcome more information on the Government's policy for persons with disabilities in the context of the ongoing migration and refugee crisis in Europe. She wished to know about measures to prevent ethnically motivated violence against members of the Roma minority, particularly women and children with disabilities, as well as steps taken to stop the forced sterilization of women with disabilities from that community and the forced institutionalization of Roma persons with disabilities.

40. **Mr. Tatić** said that he would be interested to know the amount of funding, from all sources, being invested in developing support services in local communities, as compared to the funds being invested in the development and maintenance of institutions. He would appreciate details of the monetary allowances available to persons with disabilities to engage the services of personal assistants and would like to receive information on any training provided for persons who wished to work in that capacity.

41. **Mr. You** Liang asked whether the State party had any institutional measures in place to prevent forced sterilization and contraception and whether persons with certain disabilities were allowed to drive a car.

42. **Mr. Langvad** asked how the State party ensured that protection against disability-based discrimination was enforced in practice and how persons with disabilities who faced discrimination on any grounds could assert their rights. How was the implementation of legislation on accessibility monitored and enforced, and which bodies were responsible for monitoring the spending of European Union funds for accessible infrastructure? He wished to know in how many cases sanctions had been imposed on persons or entities that had invested funds in infrastructure that was not fully accessible to persons with disabilities. Did the national legislation and regulations allow for the detention at immigration detention centres of migrants with disabilities and families with children with disabilities? If so, were plans in place to stop that practice? He asked whether the State party had adopted a due diligence framework to prevent, investigate, prosecute and compensate for violence against women and girls with disabilities and, if so, how it had been implemented in practice.

43. **Ms. Degener** asked why the State party's child protection legislation, which provided that children under the age of 6 could not be institutionalized, made an exception for children with disabilities. What steps were being taken to ensure alternatives and support for families to avoid the institutionalization of children in Slovakia?

44. **Mr. Lovászy** asked the delegation to report on procedural accommodations made in the justice system for persons with disabilities, particularly intellectual disabilities, to prevent self-incrimination and ensure their equal and effective participation in criminal proceedings and to guarantee due process. Did persons who were deaf or hard of hearing have equal access to all judicial procedures, with qualified sign language interpreters? What was the scope of the relevant legislation in that area, particularly in respect of training for all judicial and law enforcement personnel?

45. **Mr. Kim** Hyung Shik, citing figures from alternative reports on the large number of adults and children with disabilities still living in institutions, asked what progress was being made in implementing the various strategies for deinstitutionalization and the transformation of residential social services. He requested confirmation that close family members could receive payment for working as personal assistants for persons with severe disabilities.

46. **Ms. Peláez Narváez** asked about the situation of women whose legal capacity was restricted under a guardianship regime, even though they were fully capable of expressing their own opinions. How was their right to informed consent for medical treatment or surgery upheld? She would be interested to know what efforts the State party was making to collect disaggregated data on women facing multiple and intersecting forms of discrimination, including women with disabilities, as recommended in the concluding observations recently issued by the Committee on the Elimination of Discrimination against Women (CEDAW/C/SVK/CO/5-6). What measures were taken to protect the large number of institutionalized women and children with disabilities against violence or abuse?

47. **Mr. Ruskus** expressed concern that the State party's efforts at deinstitutionalization appeared ineffective, as there had been no real progress in the development of independent and community-based living. What mechanisms were in place to monitor implementation of the National Project to Support the Deinstitutionalization of Social Care Services? What percentage of institutions and persons living in institutions had been selected to participate in pilot deinstitutionalization projects, and what would be done for those not participating? How were organizations of persons with disabilities involved in the deinstitutionalization process, and how was the development of new independent community-based living defined and supported?

48. **Mr. Basharu** asked what measures were in place to ensure the accessibility of the justice system, including courts, prisons and police stations, for persons with disabilities of all kinds, and to what extent Braille and sign language interpretation were available in judicial proceedings.

49. **Mr. Pyaneandee** asked whether the State party planned to enshrine the provisions of the Convention in its Constitution and, if so, what measures were envisaged to define the denial of reasonable accommodation as a form of discrimination. How many persons with disabilities were members of the judiciary or worked in the justice system? Under current legislation, were deaf persons eligible to serve as jurors?

50. **Ms. Kingston** asked for details of legal aid available to persons with disabilities. With regard to the requirement for women to give informed consent to terminate or continue their pregnancies free from prejudice, she asked whether a woman would be given information and the opportunity to make a decision in the event that her fetus had an impairment such as Down syndrome. She would appreciate information on the use of physical, mechanical and chemical restraints and whether they were defined in law, as well as on the isolation and seclusion of persons with psychosocial disabilities.

51. **The Chair** asked whether, when persons with psychosocial or intellectual disabilities were charged with an offence, they were declared exempt from criminal responsibility and, if so, what security measures applied.

The meeting rose at 5.55 p.m.